

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PABLO J. MARTINEZ-BARREN,	:	CIVIL ACTION NO. 1:06-CV-0661
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
INGRAM MICRO, INC.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 15th day of August, 2006, upon consideration of the motion to amend the complaint (Doc. 9),¹ and the motion to dismiss the original complaint (Doc. 5), and it appearing that a responsive pleading has not been served, see FED. R. CIV. P. 15(a) (“A party may amend the party’s pleading once as a matter of course at any time before a responsive pleading is served . . .”), and that an amended complaint supercedes the original complaint, see Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002) (“An amended complaint supercedes the original version in providing the blueprint for the future course of a lawsuit.”); see also 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (2d ed. 1990) (“Once an amended pleading is interposed, the original pleading no longer performs any function in the case . . .”), it is hereby ORDERED that:

¹ The court notes that the motion was not accompanied by a proposed order. See L.R. 7.1 (“Every motion shall be accompanied by a form of order which, if approved by the court, would grant the relief sought in the motion.”).

1. The motion to amend the complaint (Doc. 9) is GRANTED.
2. The Clerk of Court is directed to remove the proposed document (Doc. 9, Ex. 1) from the docket and file it as an amended complaint as of the date of this order.
3. The motion to dismiss (Doc. 5) is DENIED as moot.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge